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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Anthony J. Baerlocher et al.  
Appl. No.: 09/964,022  
Conf. No.: 9873  
Filed: September 26, 2001  
Title: GAMING DEVICE HAVING ACHIEVEMENT CRITERIA FOR ADVANCEMENT  
Art Unit: 3713  
Examiner: Kim T. Nguyen  
Docket No.: 0112300-484

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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### RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Please enter this response in the above-identified patent application.

### REMARKS

This Response is submitted in response to the Office Action mailed on September 23, 2003. The Examiner issued a restriction requirement under 35 U.S.C. § 121, which requires applicant to elect one of the following:

Species 1: Fig. 3 (claims 1 to 48) drawn to displaying points associated with a selection.

Species 2: Fig. 8 (claims 49 to 50) drawn to displaying a selected result by moving an object to positive, negative, or neutral position.

Applicants hereby makes the following elections without traverse:

Applicants hereby elect Species 1, Fig. 3 (claims 1 to 48) without traverse, for examination on the merits.

Favorable consideration is respectfully requested.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY *Adam H. Masia*

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Date: September 29, 2003

3713

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U.S. PATENT & TRADEMARK OFFICE

**TRANSMITTAL LETTER  
(General - Patent Pending)**

Docket No.  
0112300-484

In Re Application Of: Anthony J. Baerlocher et al.

Serial No.  
09/964,022

Filing Date  
September 26, 2001

Examiner  
Kim T. Nguyen

Group Art Unit  
3713

Title: GAMING DEVICE HAVING ACHIEVEMENT CRITERIA FOR ADVANCEMENT

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Transmittal Letter (General - Patent Pending) (1 page); Response to Restriction Requirement (2 pages); and Postcard which we ask you to date stamp and return.

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in the above identified application.

- No additional fee is required.
- A check in the amount of \_\_\_\_\_ is attached.
- The Director is hereby authorized to charge and credit Deposit Account No. 02-1818 as described below.
  - Charge the amount of \_\_\_\_\_
  - Credit any overpayment.
  - Charge any additional fee required.

Signature

Dated: September 29, 2003

Adam H. Masia (Reg. No. 35,602)  
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I certify that this document and fee is being deposited on 9/29/03 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

Renee Street

Typed or Printed Name of Person Mailing Correspondence

cc: